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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE DIVISION**

12 UNITED STATES OF AMERICA

13 Plaintiff,

14 vs.

15 JAMIE HARMON,

16 Defendant.

CASE NO. 08-00938 LHK

**PARTIE'S STIPULATION AND  
REQUEST TO RESCHEDULE JUNE 12,  
2013 STATUS CONFERENCE TO JULY  
10, 2013 AT 9:30 A.M.**

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19 The United States of America, by and through Assistant United States Attorney Richard  
20 Cheng, and Jamie Harmon, by and through her counsel Edward W. Swanson, hereby submit this  
21 stipulated request to move the status conference currently scheduled for June 12, 2013 at 9:30  
22 a.m., to July 10, 2013 at 9:30 a.m. The parties agree and stipulate as follows:

23 (1) On September 23, 2011, the United States filed a Notice of Appeal of this Court's  
24 order on Harmon's new trial motion;

25 (2) The Ninth Circuit Court of Appeals issued a briefing scheduling and the parties  
26 subsequently briefed the issues on appeal;

27 (3) On February 12, 2013, the parties appeared before the Ninth Circuit for oral  
28 argument;

1 (4) The case has been submitted and is currently under consideration by the Ninth  
2 Circuit;

3 (5) The parties previously rescheduled the status conference from March 13, 2013 to  
4 May 8, 2013 and from May 8, 2013 to June 12, 2013 in light of the pending appeal.

5 (6) Subject to the availability and approval by this Court, the parties request that the  
6 June 12, 2013, status conference be rescheduled to July 10, 2103 at 9:30 a.m.

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8 IT IS SO STIPULATED.

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10 DATED: June 3, 2013

\_\_\_\_\_/s/  
Richard Cheng  
Assistant United States Attorney

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13 DATED: June 3, 2013

\_\_\_\_\_/s/  
Edward W. Swanson  
SWANSON & McNAMARA LLP  
Attorneys for JAMIE HARMON

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18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21 DATED: 6/7/13

  
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HON. Lucy H. Koh  
United States District Court Judge